



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Mark R. Herring
Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

November 3, 2021

The Honorable David K. Paylor, Director
Virginia Department of Environmental Quality
1111 East Main Street
Richmond, Virginia 23219

Re: Periodic Review of the Regulation for Nutrient Enriched Waters and Dischargers within the Chesapeake Bay Watershed (9 VAC 25-40 *et seq.*)

Dear Director Paylor:

I have reviewed the above-referenced regulations. It is my opinion that the State Water Control Board has the statutory authority for the regulation pursuant to Chapter 3.1 of Title 62.1 of the Code of Virginia.

This certification addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the regulation.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

David Grandis

David C. Grandis
Senior Assistant Attorney General